

Meeting Minutes
Virginia Board of Education
Committee on the Lowest Performing School Systems

Tuesday, May 25, 2004

Mr. Mark E. Emblidge, chairman of the committee, opened the meeting with a welcome and overview of the agenda. Committee members present were Mr. David Johnson and Dr. Gary Jones. Other Board of Education members in attendance were Mrs. Isis Castro, Mr. Scott Goodman, Mrs. Susan Genovese, Mr. Thomas Jackson, Mr. Thomas Johnson, and Dr. Ella Ward.

Ms. Anne Wescott, assistant superintendent for policy and communications, provided the committee with an overview of House Bill 1294 (Reid) passed during the 2004 General Assembly session. This legislation authorizes the Board of Education to require division-level academic reviews “when the Board has obtained evidence through the school academic review process that the failure of schools within a division to achieve full accreditation status is related to division level failure to implement the Standards of Quality.” At the completion of the review, each school board must submit a corrective action plan to raise student achievement and to achieve full accreditation status to the Board of Education for approval and also include it in the school division’s six-year improvement plan. The Board of Education may petition the circuit court having jurisdiction in the school division to mandate compliance with the relevant standard and the development or implementation of the required corrective plan when it determines that a school division has failed or refused, and continues to fail or refuse, to comply with the Standards of Quality and the development or implementation in a timely manner of the corrective action plan. Emergency regulations will be promulgated by the Board of Education to implement HB 1294, with final regulations to be established by the end of January 2005.

Mr. Charles Finley, assistant superintendent for educational accountability, reviewed with the committee members criteria for identifying school divisions for division-level academic reviews that were presented to the board at its April 29, 2004 meeting. The criteria options for selecting school divisions suggested for consideration for division-level academic reviews included the following:

1. The percentage of schools *Accredited with Warning* in the school division is at least 10 percent for the current school year, and at least 50 percent of the schools are rated *Accredited with Warning* for two of the most current three years; or less than 50 percent of schools were fully accredited in two out of the three most current years.
2. The percentage of students attending fully accredited schools is lower than the statewide percentage of students attending fully accredited schools for the current year, and the school academic reviews conducted in prior years identify common areas for improvement which are division level responsibilities under the SOQ.
3. The percentage of students attending schools *Accredited with Warning* is higher than the statewide percentage of students attending warned schools for the current year, and the

school academic reviews conducted in prior years identify common areas for improvement that are division level responsibilities under the SOQ.

As a result of the discussion, the committee agreed to focus on the following criteria for division-level academic reviews at the Board of Education meeting the next day:

- The percentage of students attending schools in the division rated *Accredited with Warning* in the current school year is higher than the statewide percentage (this year 1.4 percent); and
- The failure of schools in the division to reach full accreditation has been determined to be due to the local school board's failure to meet its responsibilities under the Standards of Quality, consistent with HB 1294.

The committee also indicated interest in an annual review of the criteria by the Board of Education.

Dr. Cheri Magill, director of accreditation, updated committee members on the two pilot division-level academic reviews conducted by Department of Education teams. The initial visits with Petersburg City public schools and Lee County public schools have taken place with memoranda of agreements signed between the chairmen of the local school board in each division, each division superintendent, the Superintendent of Public Instruction, and the president of the Board of Education. The onsite review of Lee County has been completed; the onsite review of Petersburg is currently underway. The reviews have included interviews, observation of practices, and review of documents and data. A report of findings will be prepared that includes compliance issues, feedback on systems and processes, and evidence for conclusions. Follow up to the reviews will include provision of technical assistance and monitoring of the progress of implementation of essential actions. A discussion of approaches to school division level reviews and interventions followed Dr. Magill's presentation.

Dr. Cynthia A. Cave, director of policy, reviewed with committee members possible sanctions that could be imposed by the Board of Education on school divisions failing to meet and/or to comply with the Standards of Quality. Relevant provisions of the Constitution of Virginia, Code of Virginia, and Virginia Administrative Code were reviewed with the board members. The committee members agreed that a coordinated approach to state sanctions and those required by the No Child Left Behind Act would be appropriate. Mr. Emblidge asked that the Attorney General's Office provide information about the Board of Education's authority to impose various types of sanctions under the provisions of the Virginia Constitution, Code, and board regulations.

The committee discussed its next steps, including review and consideration of the possible sanctions outlined during the meeting.